

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
CHARLOTTESVILLE DIVISION

CLERK'S OFFICE U.S. DIST. COURT
AT CHARLOTTESVILLE, VA
FILED

JUN 12 2006

JOHN F. CONSIDINE, CLERK
BY: *H. W. [signature]*
DEPUTY CLERK

UNITED STATES OF AMERICA

CRIM. No. 3:05CR00043

v.

ORDER AND OPINION

ANTONIO GUZMAN-PLATON
ZENAIDO GUZMAN-PLATON,

Defendants.

JUDGE NORMAN K. MOON

This matter is before the Court on the government's motion for a conflict of interest inquiry, filed on May 15, 2006. The Court held a hearing on this motion on June 9, 2006, in which, after discussion in open court, it questioned the defendants and their attorneys outside the presence of the government regarding the existence of a possible conflict of interest. Pursuant to this hearing, the Court hereby FINDS:

- (1) There is no evidence that an actual conflict of interest exists at this time;
- (2) To the extent that any possible conflict of interest exists, the defendants understand that third parties are paying their attorneys' fees, understand that they have the right to independent representation, and understand that the payment of their attorneys by third parties raises the possibility of a conflict of interest. Their attorneys discussed this issue with them, and both defendants knowingly, intelligently, and voluntarily waived any potential conflict of interest that may exist on this issue. Based on the statements of the defendants and their attorneys, as well

as the attorneys' sealed affidavits, the Court accepts these waivers.

The Court also ORDERS that the affidavits submitted by the attorneys on June 8, 2006, as well as the ex parte portion of the hearing on June 9, 2006, are to remain sealed.

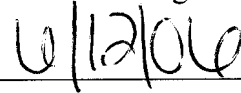
It is so ORDERED.

The Clerk of the Court is directed to send a certified copy of this Order to all counsel of record.

ENTERED:



U.S. District Judge



Date